

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

METROPOLITAN LIFE
INSURANCE COMPANY,

Plaintiff,

Case No. 21-11548

vs.

HON. GEORGE CARAM STEEH

LETTIE SANDERS, FRANCINE
YANCY, CHANITA YANCY,
and KHATIMA YANCY

Defendants.

_____ /

ORDER CONSTRUING CHANITA YANCY'S LETTER AS
A MOTION TO SET ASIDE ENTRY OF DEFAULT JUDGMENT
(ECF NO. 26), STAYING EXECUTION OF STIPULATED
JUDGMENT (ECF NO. 25) AND SETTING STATUS CONFERENCE

Plaintiff Metropolitan Life Insurance Company ("MetLife") commenced this interpleader action to determine the proper disbursement of life insurance proceeds under a policy issued by MetLife to cover benefits provided under an employee welfare benefit plan sponsored by General Motors Corporation. The four defendants were listed as beneficiaries on one of two different beneficiary forms. Defendant Chanita Yancy was listed as a primary beneficiary in a designation form dated July 21, 2002, but she was not listed as a beneficiary in a more recent designation dated August 14, 2020.

MetLife filed its interpleader complaint on July 5, 2021 and served Chanita Yancy on July 8, 2021. (ECF No. 8). Chanita Yancy did not file an answer, which was due by July 29, 2021. On September 2, 2021, MetLife requested clerk's entry of default pursuant to Fed. R. Civ. P. 55(a). (ECF No. 11). Clerk's entry of default as to Chanita Yancy was entered on September 2, 2021. (ECF No. 12).

On October 5, 2021, MetLife filed a motion for entry of default judgment as to Chanita Yancy. Magistrate Judge Grey held a telephone status conference with the parties on October 12, 2021. Chanita Yancy participated in the status conference and the Court pointed out her lack of an answer as well as the pending motion for entry of default judgment. On October 28, 2021, having received neither an answer to the complaint nor a response to the motion for entry of default judgment, the court granted MetLife's motion and entered default judgment against Chanita Yancy.

The remaining parties entered into a stipulated settlement agreement whereby MetLife would pay the life insurance benefits at issue ("Benefits") to defendant Lettie Sanders. Under the terms of the settlement, the remaining interpleader defendants, as well as any person not joined as a party to the action, would be permanently enjoined from pursuing a claim as to the Benefits. On November 9, 2021, the court, having already determined that Chanita Yancy had forfeited her right to pursue an interest

in the Benefits, entered the stipulated judgment as a final order in the case.

On the same date that the final judgment in the case was entered, Chanita Yancy submitted a letter to the court asking that the default judgment against her be set aside. The court construes the letter (ECF No. 26) to be a motion to set aside entry of default judgment. To maintain the status quo until the court can address Chanita Yancy's motion, execution of the settlement agreement is stayed pending further order of the court.

The case will be reopened, and a status conference will be set by the court to discuss the next steps. Now, therefore,

IT IS HEREBY ORDERED that Chanita Yancy's letter (ECF No. 26) is construed as a motion to set aside entry of default judgment.

IT IS HEREBY FURTHER ORDERED that execution of the stipulated settlement and judgment is stayed pending an order of the court.

IT IS HEREBY FURTHER ORDERED that the above-captioned case is reopened, and a telephonic status conference is set for November 23, 2021 at 11:00 a.m. Parties are to call (888)684-8852 and enter access code 8146438 to participate in the telephonic status conference.

So ordered.

Dated: November 12, 2021

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
November 12, 2021, by electronic and/or ordinary mail and
also on

Lettie Sanders
42740 Judd Rd
Belleville, MI 48111

Francine Yancy
13994 Abbington Ave.
Detroit, MI 48227

Khatima Yancy
14610 Carlisle
Detroit, MI 48205

Chanita Yancy
19634 Helen St.
Detroit MI 48234.

s/Brianna Sauve
Deputy Clerk